

MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEES

In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y.)

Plaintiffs' Executive Committee for Personal Injury and Death Claims	Plaintiffs' Executive Committee for Commercial Claims
Ronald L. Motley (1944-2013) Jodi Westbrook Flowers / Donald A. Migliori, <i>Co-Chairs</i> MOTLEY RICE LLC James P. Kreindler, <i>Co-Chair</i> KREINDLER & KREINDLER LLP	Elliot R. Feldman, <i>Co-Chair</i> Sean Carter, <i>Co-Chair</i> COZEN O'CONNOR
Andrew J. Maloney III, <i>Co-Liaison Counsel</i> KREINDLER & KREINDLER LLP Robert T. Haefele, <i>Co-Liaison Counsel</i> MOTLEY RICE LLC	J. Scott Tarbutton, <i>Liaison Counsel</i> COZEN O'CONNOR

VIA ECF AND OVERNIGHT MAIL

November 21, 2017

The Honorable George B. Daniels
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

RE: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN)

Dear Judge Daniels:

Plaintiffs write to request the Court's approval to file a single consolidated brief in opposition to the motions to dismiss of Al Rajhi Bank (ARB), Saudi Binladin Group (SBG), and National Commercial Bank (NCB).

ARB, SBG, and NCB separately have moved to dismiss the claims advanced against them in eleven actions in the MDL. Pursuant to the Court's Orders of May 16, 2017 (ECF No. 3584) and September 19, 2017 (ECF No. 3718), plaintiffs are authorized to file consolidated oppositions to each of the defendant's separate motions, not to exceed 35 pages each, by December 5, 2017. Thus, the current briefing structure contemplates that plaintiffs would file three separate oppositions totaling in excess of 100 pages in aggregate.

While there are some differences in the scope and nature of the arguments advanced by the three defendants in their separate motions, plaintiffs nonetheless believe it would be most efficient to respond to the three separate motions through a single opposition brief, not to exceed 70 pages. Plaintiffs believe this would allow for the clearest presentation of the issues to the Court, avoid duplication of common legal arguments, and substantially reduce the total number of pages to be presented in opposition to the motions.

The Honorable George B. Daniels
November 21, 2017
Page 2

The three defendants have advised that they consent to this proposal, but each reserves its right to submit a separate reply memorandum, as contemplated by the Court's May 16, 2017 Order.

For all the foregoing reasons, plaintiffs respectfully request that the Court authorize them to file a single consolidated brief, not to exceed 70 pages, in opposition to the motions to dismiss of ARB, SBG, and NCB.

Finally, as indicated in the Kingdom of Saudi Arabia's November 17, 2017 letter to the Court, the Plaintiffs' Executive Committees expect to write to the Court in the coming days concerning the argument on the motions to dismiss of ARB, SBG, and NCB, currently scheduled for January 18, 2018.

Respectfully submitted,

COZEN O'CONNOR

A handwritten signature in blue ink, appearing to read "Sean P. Carter", with a stylized flourish at the end.

By: Sean P. Carter

SPC/:bdw

cc: The Honorable Sarah Netburn (Via ECF & Federal Express)
All Counsel of Record (Via ECF)

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